

REMARKS

This Response is submitted in reply to the Final Office Action dated October 9, 2008, and in accordance with the telephone interview conducted on January 7, 2009. Claims 1, 3, 4, 10, 12, 15, 17, 27, 30, 31, 39, 40 and 42 have been amended. No new matter was added by these amendments. Applicant has submitted a Request for Continued Examination, Petition for One Month Extension of Time and a Supplemental Information Disclosure Statement with this Response. Please charge Deposit Account No. 02-1818 for the Request for Continued Examination, Petition for One Month Extension of Time, Supplemental Information Disclosure Statement and any other fees due in connection with this response.

The Office Action rejected Claims 1, 3 to 5, 9 to 12, 14 to 20, 27, 29 to 31, 34 to 36 and 39 to 43 under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,309,300 to Glavich ("Glavich") in view of United States Patent No. 6,428,412 to Anderson et al. ("Anderson"). Note that page 2 of the Office Action states that Claims 1 to 5, 9 to 20, 27 to 31, 34 to 36 and 39 to 43 are rejected. However, Claims 2, 13 and 28 were previously cancelled. These cancellations are properly reflected in the Disposition of Claims section of the Office Action Summary.

During the interview, Applicant's representative and the Examiner discussed Fig. 3 and Fig. 4A of the application. After discussing these figures, the Examiner explained his reading of the term "selection outcome" in view of Anderson and Applicant's representative and the Examiner agreed that the claims could be amended for clarity as discussed below.

Glavich discloses a gaming device including a main game and a bonus feature. In one embodiment, the bonus feature is initiated upon the occurrence of a bonus trigger event during a play of the main game.

Anderson discloses a gaming machine including a base game and a bonus game. The player places a wager on the base game. In one embodiment, the base game is a slot-type game. The gaming machine randomly generates an outcome for the base game. If the outcome includes a "start-bonus outcome," a bonus game is

triggered. Specifically, at column 4, lines 13 to 20 (cited by the Office Action, Anderson states:

[I]ncluded among the plurality of basic game outcomes are a plurality of start-bonus outcomes for starting play of their associated bonus games. A start-bonus outcome may be defined in any number of ways. For example, a start-bonus outcome occurs when a special start-bonus symbol or a special combination of symbols appears on one or more of the reels 30-34. The start-bonus outcome may require the combination of symbols to appear along an active pay line, or may alternatively require that the combination of symbols appear anywhere on the display regardless of whether the symbols are along an active pay line. The appearance of a start-bonus outcome causes the CPU to shift operation from the basic game to the associated bonus game.

In one embodiment of Anderson (see Figs. 3 and 4), a "Word Reveal Picture Pay" bonus is triggered by three Non-Character Scrabble Tile symbols 62 displayed at respective reels 30, 31, and 32 and a Character Scrabble Tile symbol 64 at reel 33. (See Anderson, Fig. 3). Referring to Fig. 4 of Anderson, these symbols animate to spell the word "WINS." The Anderson gaming device then provides the player with an award for the word "WINS" equal to the sum of the values of each letter (8+1+1+1) multiplied by the player's total bet in the base game (9) multiplied by two (due to the Double Word Tile symbol on reel 31). The total award provided to the player in this example is 198 credits (see Fig. 4).

In another embodiment of Anderson, the occurrence of three or more Scrabble Board symbols along an active payline triggers a "Scrabble" bonus feature. Referring to Fig. 6, the gaming machine displays a plurality of letter bags. The gaming machine prompts the player to select one of the letter bags. The gaming machine then displays an animation of letters coming out of the selected letter bag and displays a word. The gaming device determines if the word is spelled correctly. If the word is spelled correctly, the word is placed on a Scrabble board display and factored into a bonus award in accordance with standard Scrabble scoring. If the word is spelled incorrectly, the bonus feature ends. As long as the words generated are spelled correctly, the player continues to select letter bags and receive bonus points according to the random

placement of the correctly spelled words on the Scrabble board. Once a word is spelled incorrectly, the player receives an accumulated award and the bonus feature ends.

Amended Claim 1, for example, includes at least one processor configured to operate with at least one display device and at least one input device to for each picked selection, determine a selection outcome from a plurality of selection outcomes including at least two different types of selection outcomes to associate with the selection, wherein one of the types of selection outcomes is a value and one of the types of selection outcomes is not a value, wherein for at least one of the selections, the type of selection outcome associated with the selection is based, at least in part, on the amount of credits wagered on each of the plurality of paylines in the base game.

Amended Claim 12, for example, includes at least one processor configured to operate with at least one display device and at least one input device to for each picked selection, determine a selection outcome from a plurality of selection outcomes including at least two different types of selection outcomes to associate with the selection, wherein the type of selection outcome of at least one of the plurality of selection outcomes is an activation of a symbol generator if at least a designated amount is wagered on the base game.

As discussed during the interview, Anderson does not disclose a type (e.g., a value or an activation of a symbol generator) of selection outcome associated with a selection being based on an amount of credits wagered on each of a plurality of paylines in a base game. The only reference that appears to be in Anderson which would relate to an award in a bonus game being based on a wager in a base game is column 4, lines 31 to 33, which states: “[t]he awarded bonus is equal to the sum of the values on each letter of the word multiplied by the player's total bet.” Anderson does not disclose anything suggesting different types of selection outcomes being based on a base game wager. Accordingly, for at least these reasons, Applicant respectfully submits that Claims 1, 3 to 5, 9 to 12, 14 to 20, 27, 29 to 31, 34 to 36 and 39 to 43 are patentable over the combination of Glavich and Anderson and in condition for allowance.

The Office Action rejected Claims 6 to 8, 21, 32, 33 and 44 under 35 U.S.C. § 103(a) as being unpatentable over Glavich and Anderson, and further in view of United States Patent No. 5,231,568 to Cohen et al. ("Cohen"). Applicant respectfully disagrees with these rejections. For at least the foregoing reasons, Applicant respectfully submits that Claims 6 to 8, 21, 32 to 33 and 44 are patentable over the combination of Glavich, Anderson and Cohen and in condition for allowance.

The Office Action rejected Claims 37, 38, 45 and 46 under 35 U.S.C. § 103(a) as being unpatentable over Glavich and Anderson, and further in view of United States Patent No. 5,855,514 to Kamille ("Kamille"). Applicant respectfully disagrees with these rejections. For at least the foregoing reasons, Applicant respectfully submits that Claims 37, 38, 45 and 46 are patentable over the combination of Glavich, Anderson and Kamille and in condition for allowance.

Applicant has made an earnest endeavor to place this application in condition for allowance and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,
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